I claim:

effective concentration.

- 1. (Original) A method of treating infectious diseases caused by drugresistant strains of bacteria in a human or an animal host comprising: Administration to the area of disease a suitable carrier containing an antibacterial agent obtainable from pepper, or an equivalent in a therapeutically effective concentration.
- 2. (Withdrawn) A method of treating superficial bacterial infections in a human or an animal host comprising:

  Administration to the area of disease a suitable carrier containing an antibacterial agent obtainable from pepper, or an equivalent in a therapeutically
- 3. (Withdrawn) A method of treating internal bacterial infections in a human or an animal host comprising:

Administration to the area of disease a suitable carrier containing an antibacterial agent obtainable from pepper, or an equivalent in a therapeutically effective concentration.

**4.** (Previously presented) A method of treating bacterial infections in a human or an animal host comprising:

Administration to the area of disease a suitable carrier containing an antibacterial phytoalexin obtainable from pepper, or an equivalent in a therapeutically effective concentration.

**5.** (Previously presented) A method of treating cellulitis in a human or an animal host comprising:

Administration to the area of disease a suitable carrier containing an antibacterial agent obtainable from pepper, or an equivalent in a therapeutically effective concentration.

**6.** (Currently amended) The method of claim 5, wherein the disease [includes] is necrotizing fasciitis (flesh eating disease).

Nothing further at this time.

Respectfully

Jeff J. Staggs, Applicant

## Certificate of Mailing

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I certify that this correspondence entitled <u>Response to Notice of Non-Compliant Amendment (37 CFR 1.121)</u> will be deposited with the United States Postal Service as first class mail with proper postage affixed in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria VA 22313-1450 on December 27, 2005.

eff J. Staggs, Applicant

Date

12/27/05